

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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September 27, 1994

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Pete V. Domenici  
U.S. Senate  
427 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Senator Domenici:

Thank you for your letter on behalf of Sandra Peticolas-Garley, County Manager, Quay County Government, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

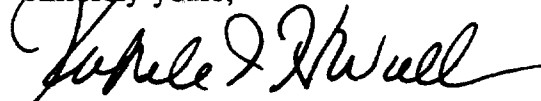
BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Pete V. Domenici  
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,



Kathleen M.H. Wallman  
Chief  
Common Carrier Bureau

Enclosures



PETE V. DOMENICI  
NEW MEXICO

United States Senate

WASHINGTON, D.C. 20510

COMMITTEES:  
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August 10, 1994

Judith Harris  
Office of Legislative Affairs  
Federal Communications Commission  
1919 M Street, NW  
Room 808  
Washington, D. C. 20554

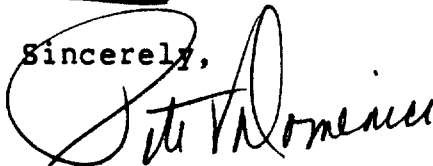
Dear Judith:

Because of my desire to be responsive to all inquiries directed to me, and knowing that you share this desire, the attached letter is referred to you for consideration.

I would very much appreciate your evaluating the information presented and taking whatever action is required to resolve the situation. I appreciate your consideration of this request, recognizing that it will be taken within the context of your existing procedures.

At your earliest convenience, I would be grateful for your findings and views, in duplicate form. Please send your response to the attention of ~~Marion Lee~~.

Sincerely,



Pete V. Domenici  
United States Senator

PVD:ml  
Enclosure

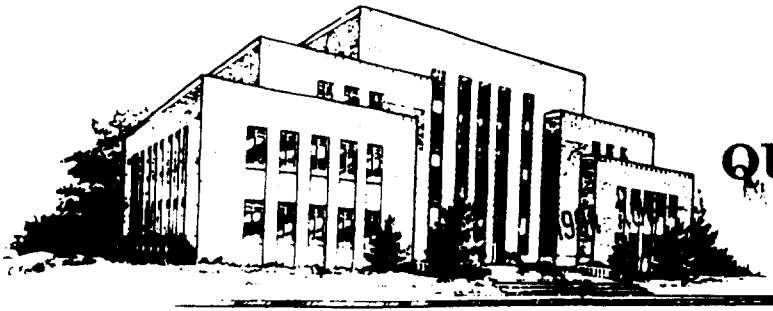
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## QUAY COUNTY GOVERNMENT

300 South Third Street - Courthouse

P.O. Box 1246

Tucumcari, New Mexico 88401

(505) 461-2112

July 27, 1994

Honorable Pete V. Domenici  
SD 434 Dirksen Building  
Washington, D.C. 20510-3101

Dear Senator Domenici:

I am very concerned about the proposed Billed Party Preference (BPP) regulation that is now under consideration by the Federal Communications Commission. There are several ways that the BPP will negatively effect the Quay County Detention Center when companies providing private pay phones and inmate phone systems are eliminated by BPP.

1. Phone number blocking capabilities will be lost - increasing victim and witness harassment by inmates.
2. Detention Center operating costs will rise as we will have to go back to phone call supervision by facility personnel.
3. Inmate call monitoring and/or recording capabilities we now subscribe to will be lost as the remaining commercial long-distance calling companies have no reason to provide this service.
4. Answering parties are now informed that the caller is in our detention facility and that they will be billed if they accept the call. When we loose the inmate phone system service, inmate initiated phone fraud will be reintroduced to this facility.

I feel this regulation will be a step backward for all correctional facilities, and a disservice to the 10,823 county residents who have to pay the bills for inmates in the Quay County Detention Center. I am completely opposed to the BPP and I urge you to contact the FCC before this regulation is adopted to let them know that they will be creating real problems for us if they pass BPP.

Sincerely,

*Sandra Peticolas-Garley*  
Sandra Peticolas-Garley  
County Manager

QUAY COUNTY MANAGER  
BOARD OF COUNTY COMMISSIONERS